

"The exercise of power and the use of public funds by the state, the granting of customs duty privileges, the arbitrary and discriminatory placement of official advertising and government loans; the concession of radio and television broadcast frequencies, among others, with the intent to put pressure on and punish or reward and provide privileges to social communicators and communications media because of the opinions they express threaten freedom of expression, and must be explicitly prohibited by law. The means of communication have the right to carry out their role in an independent manner. Direct or indirect pressures exerted upon journalists or other social communicators to stifle the dissemination of information are incompatible with freedom of expression.";

Whereas, according to the principles of the American Convention on Human Rights and the Inter-American Declaration of Principles on Freedom of Expression, to both of which Venezuela is a party, the decision not to renew the concession of the television station RCTV is an assault against freedom of thought and expression and cannot be accepted by democratic countries, especially by those in North America who are signatories to the American Convention on Human Rights;

Whereas the most paradoxical aspect of the decision by President Chávez is that it strongly conflicts with two principles from the Liberator Simón Bolívar's thinking, principles President Chávez says inspire him, which state that "[p]ublic opinion is the most sacred of objects, it needs the protection of an enlightened government which knows that opinion is the fountain of the most important of events," and that "[t]he right to express one's thoughts and opinions, by word, by writing or by any other means, is the first and most worthy asset mankind has in society. The law itself will never be able to prohibit it.";

Whereas the United States should raise its concerns about these and other serious restrictions on freedoms of thought and expression being imposed by the Government of Venezuela before the Organization of American States: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses its profound concern about the transgression against freedom of thought and expression that is being attempted and committed in Venezuela by the refusal of the President of Venezuela, Hugo Chávez, to renew the concession of the television station "Radio Caracas Televisión" (RCTV) merely because of its adherence to an editorial and informational stance distinct from the thinking of the Government of Venezuela; and

(2) strongly encourages the Organization of American States to respond appropriately, with full consideration of the necessary institutional instruments, to such transgression.

#### SENATE RESOLUTION 212—TO EXPRESS THE SENSE OF THE SENATE RELATING TO LEGISLATION TO CURB GLOBAL WARMING

Mr. COLEMAN (for himself and Mr. LIEBERMAN) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 212

*Resolved*, That it is the sense of the Senate that any comprehensive, mandatory greenhouse gas emissions reduction program enacted by Congress should include—

(1) periodic determinations of the extent to which other countries that are major con-

tributors of atmospheric greenhouse gas concentrations have established for those countries emissions reduction programs that are comparable in effectiveness to the program established by the United States;

(2) in the event of an authoritative determination that the emissions reduction programs established by other countries that are major contributors of atmospheric greenhouse gas concentrations are substantially less effective than the program established by the United States, consequences in the form of—

(A) a review of provisions of the emissions reduction program established by the United States; or

(B) 1 or more changes to other policies of the United States;

(3) periodic determinations relating to whether the emissions reduction program established by the United States is increasing the rate of poverty or unemployment in the United States;

(4) in the event of an authoritative determination that the emissions reduction program established by the United States is increasing the rate of poverty or unemployment in the United States, a process of review of provisions of the emissions reduction program established by the United States; and

(5) in addition to the imposition of limits relating to the emission of greenhouse gases, effective incentives for private entities that sell electricity to increase the percentage of sales by the entities of electricity that is generated by clean energy sources.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1146. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1147. Mr. LEAHY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 849, to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes; which was ordered to lie on the table.

SA 1148. Mrs. MCCASKILL (for herself and Mr. DODD) submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1149. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1150. Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) proposed an amendment to the bill S. 1348, supra.

#### TEXT OF AMENDMENTS

SA 1146. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

##### TITLE

##### SEC. 01. SHORT TITLE.

This title may be cited as the "Unaccompanied Alien Child Protection Act of 2007".

##### SEC. 02. DEFINITIONS.

(a) IN GENERAL.—In this title:

(1) COMPETENT.—The term "competent", in reference to counsel, means an attorney, or a representative authorized to represent unaccompanied alien children in immigration proceedings or matters, who—

(A) complies with the duties set forth in this title;

(B) is—

(i) properly qualified to handle matters involving unaccompanied alien children; or

(ii) working under the auspices of a qualified nonprofit organization that is experienced in handling such matters; and

(C) if an attorney—

(i) is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth, or the District of Columbia; and

(ii) is not under any order of any court suspending, enjoining, restraining, disbaring, or otherwise restricting the attorney in the practice of law.

(2) DIRECTOR.—The term "Director" means the Director of the Office.

(3) OFFICE.—The term "Office" means the Office of Refugee Resettlement established by section 411 of the Immigration and Nationality Act (8 U.S.C. 1521).

(4) UNACCOMPANIED ALIEN CHILD.—The term "unaccompanied alien child" has the meaning given the term in 101(a)(51) of the Immigration and Nationality Act, as added by subsection (b).

(5) VOLUNTARY AGENCY.—The term "voluntary agency" means a private, nonprofit voluntary agency with expertise in meeting the cultural, developmental, or psychological needs of unaccompanied alien children, as certified by the Director.

(b) AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT.—Section 101(a) (8 U.S.C. 1101(a)) is amended by adding at the end the following:

"(51) The term 'unaccompanied alien child' means a child who—

"(A) has no lawful immigration status in the United States;

"(B) has not attained 18 years of age; and

"(C) with respect to whom—

"(i) there is no parent or legal guardian in the United States; or

"(ii) no parent or legal guardian in the United States is available to provide care and physical custody.

"(52) The term 'unaccompanied refugee children' means persons described in paragraph (42) who—

"(A) have not attained 18 years of age; and

"(B) with respect to whom there are no parents or legal guardians available to provide care and physical custody."

##### (c) RULE OF CONSTRUCTION.—

(1) STATE COURTS ACTING IN LOCO PARENTIS.—A department or agency of a State, or an individual or entity appointed by a State court or a juvenile court located in the United States, acting in loco parentis, shall not be considered a legal guardian for purposes of section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279) or this title.

(2) CLARIFICATION OF THE DEFINITION OF UNACCOMPANIED ALIEN CHILD.—For the purposes of section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)) and this title, a parent or legal guardian shall not be considered to be available to provide care and physical custody of an alien child unless such parent is in the physical presence of, and able to exercise parental responsibilities over, such child at the time of such child's apprehension and during the child's detention.